

UNITED STATES BANKRUPTCY COURT FOR
THE EASTERN DISTRICT OF PENNSYLVANIA

In re: William H. Wilson

: Chapter 13

Debtor

: Bky. No. 17-10277-elf

**MOTION TO REINSTATE AUTOMATIC
STAY OF NEWREZ LLC d/b/a SHELLPOINT MORTGAGE SERVICING'S**

1. This court has granted relief from the automatic stay to NewRez LLC D/B/A Shellpoint Mortgage Servicing's ("mortgagee") on April 5, 2021 (doc #95) based upon its averment of a default in a stipulation.
2. Prior to the entry of the order, the debtor had denied the default and filed a request for a hearing, (doc #Doc 93 Filed 04/01/21)..
3. The basis for the objection was that mortgagee was already holding a substantial payment it received from the debtor's insurance company, which was a payment received for damages to the debtor's house due to a natural disaster.
4. The mortgagee had not taken into consideration the payment it held in escrow which was to be applied to the principal and interest.
5. The debtor was not afforded a hearing as he requested prior to the entry of the order.
6. The debtor has cause to reconsider the order of April 5, 2021, and have it set aside.
7. Debtors request that the court reconsider its order granting relief from the automatic stay to the mortgagee.

WHEREFORE, the debtors request that the court vacate its order of April 5, 2021 and reinstate the automatic stay as to the mortgagee.

s/ Lawrence S. Rubin, Esquire

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